

*Dominick Cicale*

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1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF NEW YORK

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4 UNITED STATES OF AMERICA, :

05-CR-060 (S-11)

5 -against-  
6 :

United States Courthouse

7 Brooklyn, New York  
8 :

VINCENT BASCIANO,

9 Defendant.  
10 :

May 4, 2011  
11:00 o'clock a.m.  
12 - - - - - X

11 TRANSCRIPT OF TRIAL  
12 BEFORE THE HONORABLE NICHOLAS G. GARAUFI  
13 UNITED STATES DISTRICT JUDGE

13 ATTORNEYS FOR GOVERNMENT:

14 LORETTA E. LYNCH

15 UNITED STATES ATTORNEY

16 BY: TARYN MERKL

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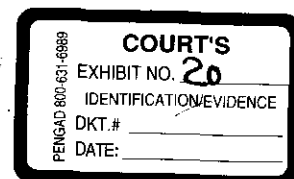
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25



~~Gicale~~ - cross/ Goltzer

7331

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Q Did you receive an okay from Michael Mancuso to kill

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Randy Pizzolo?

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MS. ARGENTIERI: Objection.

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THE COURT: You may answer.

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A I was told by Mr. Mancuso.

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Q Now, did you ask anyone's permission or did you ask for  
an okay of anyone to kill Randy Pizzolo?

A No, sir, I didn't ask for an okay to kill Randy Pizzolo.  
Randy, I was ordered to kill Randy Pizzolo.

Q [REDACTED]  
[REDACTED]  
--  
[REDACTED]  
[REDACTED]  
[REDACTED]

*Cicale - cross/ Goltzer*

7334

1 Q Did you send a message to Vincent Basciano while he was  
2 in jail using the words footings and foundation?

3 A That was part of the message, sir, yes.

4 Q So part of the message contained the words footings and  
5 foundation?

6 A Yes, sir, that's correct.

7 Q By using the words footings and foundation were you  
8 trying to devise a way to let Vinny Basciano know who actually  
9 gave you the okay to complete the task?

10 A Could you repeat the question, please.

11 Q [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 Q Were you trying to devise a way to let Vincent Basciano  
18 know what happened?

19 A I did formulate a way to inform Vinny Basciano on what  
20 happened.

21 Q And were you trying to also inform Vincent Basciano who  
22 actually gave you the okay to complete the task?

23 MS. ARGENTIERI: Objection to the term okay.

24 MR. GOLTZER: I have a good faith basis. I will  
25 follow up.

*Cicale - cross/ Goltzer*

7335

1 THE COURT: You may answer with -- well, would you  
2 repeat the question please.

3 Q Were you also trying to formulate a way to advise Vincent  
4 Basciano who actually gave you the okay to complete the task?

5 A You just lost me with that question, sir.

6 Q Did it confuse you?

7 A Yes, it did.

8 Q When you said -- when you sent word to Vincent Basciano  
9 that Michael had me take care of the footings and foundation;  
10 is that correct?

11 A Yes, sir, that's correct.

12 Q And that was sometime in December of 2004?

13 A It was either sometime -- I'm pretty sure it was December  
14 of 2004; that is correct.

15 Q It was after Randy Pizzolo was killed?

16 A Yes, sir, that's correct.

17 Q [REDACTED]

18 [REDACTED]

19 A [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 Q Basciano was arrested November 19, 2004?

24 A If that's the date you're saying, yes, sir.

25 Q You said it was the 17th?

*Cicale - cross/ Goltzer*

7336

1 A Yes, sir, that's correct.

2 Q Whether your date is right or wrong, Vincent Basciano,  
3 according to your recollection, was arrested sometime in  
4 November 2004?

5 A Yes, sir, that's correct.

6 Q And that was a couple of weeks before Randy Pizzolo's  
7 death, approximately?

8 MS. ARGENTIERI: Objection.

9 THE COURT: You may answer, if you know.

10 A Yes, sir.

11 Q And after Mr. Pizzolo's death you sent a message to  
12 Basciano that Michael had me take care of footings and  
13 foundation; is that correct?

14 A Yes, sir, that's correct.

15 Q And when you sent that message using the words footings  
16 and foundations were you trying to devise a way to let  
17 Vincent Basciano know what happened?

18 A I did devise a way to let Vincent Basciano know what  
19 happened.

20 Q And that was the way, by mentioning the word footing and  
21 foundation?

22 MS. ARGENTIERI: Objection.

23 THE COURT: You may answer.

24 A Yes, sir, that's correct.

25 Q And were you also trying to let Vincent Basciano know who

*Cicale - cross/ Goltzer*

7337

1 actually gave you the okay to complete the task of killing  
2 Pizzolo?

3 A I did let Vinny Basciano know about who gave the final  
4 order to kill Randy Pizzolo.

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13 Q At a prior trial, Mr. Cicale, did you give the  
14 following answers to the following questions:

15 Question: You sent a message with the word footings  
16 and foundations?

17 Answer: Correct.

18 Question: What did you mean by that word?

19 Answer: I was trying to devise a way to let Vincent  
20 Basciano know what happened and who actually gave me the okay  
21 to complete this task, and on the Schier's Avenue job after  
22 Randy was getting in Vinny's bad graces we started on the  
23 footings. There were imperfections. One footing had a barrel  
24 (ph) sticking out of it and another footing had a piece of  
25 plywood in it, so I figured Vinny Basciano would realize when

*Cicale - cross/ Goltzer*

7338

1 I told him that Michael had fixed the footings that he would  
2 realize what that meant because that was pertaining to Randy  
3 Pizzolo.

4 Did you give those answers to those questions under  
5 oath at a prior trial?

6 A Yes, sir, that's correct.

7 Q The word okay was your word in your answer, was it not?

8 A Yes, sir.

9 Q Y [REDACTED]  
10 [REDACTED]  
11 [REDACTED].

12 Q Michael gave the order to kill Randy Pizzolo; is that  
13 correct?

14 A Following Vinny Basciano's instructions, yes, sir, that's  
15 correct.

16 Q You said to the jury yesterday that you had received the  
17 instructions from Vinny Basciano to -- before Cicale was  
18 killed and before Basciano was arrested ?

19 A I am right here, sir.

20 Q Did you testify yesterday that the order you testified  
21 about receiving from Basciano took place before Basciano was  
22 arrested?

23 A The original order, yes, sir.

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**Cicale - cross/ Goltzer**

7347

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22 Q Did you give the following answer to the following  
23 question under oath, Mr. Cicale, at a prior trial line 12:

24 Question: Vinny Basciano had no involvement in the  
25 planning of this murder, correct?

*Cicale - cross/ Goltzer*

7348

1           Answer: Had no involvement in the planning but he  
2 gave the order.

3           Was that your answer to a question under oath, sir,  
4 at a prior trial?

5     A     If that's what it says, yes, it was, sir.

6           MR. GOLTZER: May I have a stipulation the transcript  
7 was read accurately, Judge.

8           THE COURT: Very well.

9           MR. GOLTZER: Thank you.

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